

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**BRANDON LEE BROWN,**

Plaintiff,

v.

**JAMES YATES, et al.,**

Defendants.

**No. CIV 20-124-RAW-JAR**


**OPINION AND ORDER**  
**DENYING SEVENTH MOTION FOR APPOINTMENT OF COUNSEL**

Plaintiff has filed his seventh motion requesting the Court to appoint counsel (Dkt. 146). He continues to bears the burden of convincing the Court that his claim has sufficient merit to warrant such appointment. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). Plaintiff again alleges he cannot afford counsel, his imprisonment limits his ability to litigate, and he has been unable to obtain a lawyer.

Once again, the Court has carefully reviewed the merits of Plaintiff's claims, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. *McCarthy*, 753 F.2d at 838 (citing *Maclin v. Freake*, 650 F.2d 885, 887-88 (7th Cir. 1981)). The Court, however, finds that appointment of counsel still is not warranted. *See Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991); *see also Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995).

**ACCORDINGLY**, Plaintiff's seventh motion for appointment of counsel (Dkt. 146) is **DENIED**.

**IT IS SO ORDERED** this 15<sup>th</sup> day of March 2023.

  
Ronald A. White  
United States District Judge  
Eastern District of Oklahoma